

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, JANUARY 23, 2006**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:07 p.m. on Monday, January 23, 2006, with President Gray presiding.

Councillor Abdullallah led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

President Talley instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley
1 ABSENT: Langsford

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

Councillor Mansfield recognized Ruth Hayes of the Nora Northside Community Council. Councillor Pfisterer thanked Councillor Conley for providing an evening meal of gumbo to Councillors and welcomed Speedway Junior High School students to this evening's meeting.

REAPPOINTMENT OF SENIOR STAFF

Councillor Boyd reported that the Rules and Public Policy Committee met on January 10, 2006 and considered the reappointment of senior staff members Angela Gonzalez and Andrea Scott as Assistant Clerks, Aaron E. Haith as General Counsel, and Bart Brown as Chief Financial Officer. By unanimous votes, these staff members were recommended by the committee for reappointment. President Gray asked the staff members to stand and be recognized. Councillor

Boyd moved, seconded by Councillor Moriarty Adams, for reappointment. Senior staff members were reappointed by a unanimous voice vote.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, January 23, 2006, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Monroe Gray
President, City-County Council

January 9, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, January 11, 2006 and in the *Indianapolis Star* on Thursday, January 12, 2006, a copy of a Notice of Public Hearing on Proposal Nos. 2, 4 and 5, 2006, said hearing to be held on Monday, January 23, 2006, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

January 18, 2006

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinance:

GENERAL ORDINANCE NO. 1, 2006 – amends the Revised Code of the Consolidated City and County and fixes the rate of reimbursement for use of personal motor vehicles for official business

GENERAL ORDINANCE NO. 2, 2006 - authorizes the removal of parking restrictions on Drover Street between Oliver Avenue and Henry Street (District 19)

GENERAL ORDINANCE NO. 3, 2006 - authorizes intersection controls for the Walden Trace Subdivision (District 1)

GENERAL ORDINANCE NO. 4, 2006 - authorizes intersection controls for the Walden Glen Subdivision (District 1)

GENERAL ORDINANCE NO. 5, 2006 - authorizes intersection controls for Crooked Creek Villages East, Sections 1, 2 and 3 (District 2)

GENERAL ORDINANCE NO. 6, 2006 - authorizes intersection controls for 88th Street and Driftwood Drive, Glen Hill Drive and Rosewood Lane, and 88th Street and Rosewood Lane (District 3)

GENERAL ORDINANCE NO. 7, 2006 - authorizes intersection controls for Barnstable Court and Graham Road (District 5)

January 23, 2006

GENERAL ORDINANCE NO. 8, 2006 - authorizes parking restrictions on Shadow Wood Drive between Shadow Wood Court and Reed Road (District 6)

GENERAL ORDINANCE NO. 9, 2006 - authorizes parking restrictions on Fairfield Avenue from Central Avenue to Watson Road (District 9)

GENERAL ORDINANCE NO. 10, 2006 - authorizes a bus stop zone on Illinois Street near New York Street (District 15)

GENERAL ORDINANCE NO. 11, 2006 - authorizes a bus stop on Illinois Street between North Street and Walnut Street (District 15)

GENERAL ORDINANCE NO. 12, 2006 - authorizes parking restrictions on Illinois Street near 19th Street (District 15)

GENERAL ORDINANCE NO. 13, 2006 - authorizes parking restrictions on Pennsylvania Street near 23rd Street (District 15)

GENERAL ORDINANCE NO. 14, 2006 - authorizes parking restrictions on State Avenue from Pleasant Run Parkway South Drive to Washington Street (Districts 16 and 20)

GENERAL ORDINANCE NO. 15, 2006 - authorizes parking restrictions on 23rd Street from Bolton Avenue to Arlington Avenue (District 17)

GENERAL ORDINANCE NO. 16, 2006 - authorizes intersection controls for the Bradford Trace Subdivision, Sections 1, 2 and 3 (District 18)

GENERAL ORDINANCE NO. 17, 2006 - authorizes intersection controls for the Tealpoint Subdivision, Sections 1 & 2 (District 18)

GENERAL ORDINANCE NO. 18, 2006 - authorizes intersection controls for the Lawrence Lakes Subdivision, Section 3 (District 18)

GENERAL ORDINANCE NO. 19, 2006 - authorizes intersection controls for the Bradford Trace Subdivision, Sections 4, 5 & 6 (District 18)

GENERAL ORDINANCE NO. 20, 2006 - authorizes a multi-way stop at the intersection of Drover Street, River Avenue and White River Parkway West Drive (District 19)

GENERAL ORDINANCE NO. 21, 2006 - authorizes a change in parking restrictions on Sycamore Street between Meridian Street and Union Street (District 19)

GENERAL ORDINANCE NO. 22, 2006 - authorizes intersection controls for the Southport Green Subdivision, Section 1 (District 25)

GENERAL ORDINANCE NO. 23, 2006 - authorizes intersection controls for the Wildcat Run Subdivision, Section 11 (District 25)

GENERAL ORDINANCE NO. 24, 2006 - authorizes intersection controls for the Woodland Trails Subdivision, Sections 1 & 2 (District 25)

GENERAL ORDINANCE NO. 25, 2006 - authorizes intersection controls for the Glen Ridge Commons Subdivision, Section 1 (District 25)

GENERAL ORDINANCE NO. 26, 2006 - authorizes intersection controls for the Glen Ridge Estates Subdivision, Sections 1 & 2 (District 25)

GENERAL ORDINANCE NO. 27, 2006 - amends the Code regarding certain expense reimbursement fees regarding applications for cable franchises

GENERAL RESOLUTION NO. 1, 2006 - authorizes the Indianapolis Bond Bank to fund or coordinate funding for the Septic Tank Elimination Program (STEP)

SPECIAL RESOLUTION NO. 1, 2006 - honors Officer Michael Antonelli

SPECIAL RESOLUTION NO. 2, 2006 - recognizes the American Institute of Architects

SPECIAL RESOLUTION NO. 3, 2006 - authorizes the issuance of and appropriates the proceeds of revenue bonds or bond anticipation notes issued in an amount not to exceed \$20,000,000 for the purpose of providing funds to pay the cost of acquisition, additions, renovations, repairs and improvements to certain buildings and facilities of the City and County

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Talley moved, seconded by Councillor Gibson, to postpone Proposal No. 31, 2006, which is listed on the agenda under Priority Business, until the February 13, 2006 meeting.

PROPOSAL NO. 31, 2006. President Gray stated that the Economic Development Committee heard Proposal No. 31, 2006 on January 18, 2006. The proposal, sponsored by Councillor Nytes, is a final resolution for Indianapolis Colts, Inc. in an amount not to exceed \$85,000,000 to finance a portion of the cost of the acquisition, construction, installation and equipping of certain economic development facilities consisting of a 63,000 seat multi-purpose stadium (District 19). By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray stated that some questions have arisen regarding the participation of minority and women owned business (MBE/WBE) in this project. Indiana statute requires that MBE is to be at 15% of the overall project amount, and WBE at 5%. State Representative Bill Crawford recently sent a letter raising concerns as to whether or not the State Building Authority has met its statutory goals and has asked for documentation of MBE and WBE participation in the project. President Gray stated that he expects this information will be forthcoming before the next Council meeting.

Councillor Borst asked if Councillors can get a copy of the letter sent by Representative Crawford. He asked if President Gray knows the current levels of MBE/WBE participation in this project. President Gray said that he believes there to be only 1% MBE participation and no WBE participation currently. Councillor Borst asked if this delay will affect the Colts in any way. President Gray said that it will not.

Proposal No. 31, 2006 was postponed by a unanimous voice vote.

Without further objection, the agenda was adopted as amended.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journal of January 9, 2006. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 51, 2006. The proposal, sponsored by Councillors Brown, Langsford and Moriarty Adams, recognizes the Warren Central High School boys' cross country team and coaches. Councillor Moriarty Adams read the resolution and presented representatives with copies of the document and Council pins. Dr. R. Hinkley, principal, and Coach Joe Brooks thanked the Council for the recognition. Councillor Brown moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 51, 2006 was adopted by a unanimous voice vote.

Proposal No. 51, 2006 was retitled SPECIAL RESOLUTION NO. 4, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 4, 2006

A SPECIAL RESOLUTION recognizing the Warren Central High School boys' cross country team and coaches.

WHEREAS, under the guidance of Coaches Joe Brooks and Dennis McNulty, the Warren Central High School boys' cross country team won the State Championship this fall; and

WHEREAS, with a total of 42 runners on the team, they were undefeated in winning seven Invationals, Sectional, Regional, Semi-State, and State; and

WHEREAS, Warren Central's runners included: Tim Armstrong and Jimmy Hodges (Seniors); De'Sean Turner, Ondraius Richardson, and Cody Smith (Juniors); Micah Aldrich (Sophomore); and Caleb Pack (Freshman); and

WHEREAS, De'Sean was State runner-up, and Ondraius placed 7th; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates the entire Warren Central High School boys' cross country team on their excellent performance and placements.

SECTION 2. The Council is also proud to recognize Coach Joe Brooks and Coach Dennis McNulty for their hard work and dedication to the entire team.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 52, 2006. The proposal, sponsored by Councillors Brown, Langsford and Moriarty Adams, recognizes the Class 5A Warren Central Warriors for their third straight State Football Championship Victory. Councillor Brown read the proposal and presented copies of the document and Council pins to representatives. Coach D. Wright; Seniors Dexter Taylor, Jason Abuwahi, and Jacob McWarren; and Dr. Hinkley thanked the Council for the recognition. Councillor Brown moved, seconded by Councillor Moriarty Adams, for adoption. Proposal No. 52, 2006 was adopted by a unanimous voice vote.

Proposal No. 52, 2006 was retitled SPECIAL RESOLUTION NO. 5, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 5, 2006

A SPECIAL RESOLUTION recognizing the Class 5A Warren Central Warriors for their third straight State Football Championship Victory.

WHEREAS, on November 26, 2005 the RCA Dome was packed with fans full of excitement for the Class 5A state championship game that put the Warren Central Warriors, against the Hamilton Southeastern Royals; and

WHEREAS, the Warren Central Warriors are now savoring their win over Hamilton Southeastern by a 55-20 victory to bring home a third state 5A title; and

WHEREAS, the Warriors set a goal to bring home the title and they did; and

WHEREAS, the team played together with great heart and character, with the seniors on the team being leaders by setting examples and the underclassmen putting on an outstanding performance; and

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes and congratulates the Warren Central Warriors on their third straight win as the Indiana State Football Champion Class 5A Team.

SECTION 2. The Council wishes much success to the seniors on the team as they complete their last year in high school and hopes that future Warriors bring championships back to Indianapolis.

SECTION 3. The Council expresses its gratitude to Coach Wright for instilling strong team values and character in his students that will last a lifetime.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 53, 2006. The proposal, sponsored by Councillor Bradford, honors Ted Somerville. Councillor Bradford read the proposal and presented Mr. Somerville with a copy of the document and a Council pin. Mr. Somerville thanked the Council for the recognition. Councillor Bradford moved, seconded by Councillor Gibson, for adoption. Proposal No. 53, 2006 was adopted by a unanimous voice vote.

Proposal No. 53, 2006 was retitled SPECIAL RESOLUTION NO. 6, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 6, 2006

A SPECIAL RESOLUTION honoring Ted Somerville.

WHEREAS, while many teenagers choose to spend their summer vacations hanging out and taking a break, last summer 16-year old Ted Somerville chose to do something more personal and meaningful ; and

WHEREAS, on July 18, 2005, Ted began a labor of love that would memorialize his father and raise money for cancer research; and

WHEREAS, Ted, then a junior at Park Tudor High School and also a track and cross-country star, decided he would run a 120-mile course in record breaking heat from his home in Indianapolis to the east shore of Lake Maxinkuckee in Culver, Indiana. Ted chose this particular course because his father enjoyed the drive and it was the last trip Ted took with his father; and

WHEREAS, giving way to sweat and tears, Ted's triumphant run was completed just one day before July 25, 2005, the day his father would have celebrated his 50th birthday; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council sincerely congratulates Ted in his heartfelt effort to honor his father and raise cancer awareness; Ted raised approximately \$20,000 in pledges to the American Cancer Society.

SECTION 2. The Council has Ted and his family in their thoughts and prayers and hopes that Ted's dream ("for no family to have to go through what his did") will soon become a reality.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 54, 2006. The proposal, sponsored by Councillor Bradford, recognizes Frankie Tibbs. Councillor Bradford read the proposal and presented Mr. Tibbs with a copy of the document and a Council pin. President Gray and Councillor Abdullah thanked Mr. Tibbs for his dedicated work to the City. Greg Silver, chairman of the Greenways Commission; Pat Carroll,

Department of Public Works administrator; and Ray Irvin, former Greenways executive Director, thanked Mr. Tibbs for his example and dedication. Councillor Bradford moved, seconded by Councillor Gibson, for adoption. Proposal No. 54, 2006 was adopted by a unanimous voice vote.

Proposal No. 54, 2006 was retitled SPECIAL RESOLUTION NO. 7, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 7, 2006

A SPECIAL RESOLUTION recognizing Frankie Tibbs.

WHEREAS, Frankie Tibbs was hired as a laborer for the Department of Parks and Recreation on March 29, 1972 and has since worked in a variety of leadership and supervisory capacities; and

WHEREAS, in his service of 26 years with the City, Mr. Tibbs' commitment to excellence drove him to achieve his position as Greenways Maintenance Manager; and

WHEREAS, Mr. Tibbs has received recognition for his numerous accomplishments such as being the recipient of the Center for Leadership Development's Distinguished Award; the Ethnic Minority Society's National Recognition Award; the Jacobsen Equipment's Merit Award; and the Department of Parks and Recreation's Employee of the Month award; and

WHEREAS, Mr. Tibbs is a classic example of how hard work, dedication, and the desire to be the best you can be really does pay off; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates Mr. Tibbs on his hard-earned and well-deserved retirement.

SECTION 2. Mr. Tibbs has a variety of hobbies to keep him busy which include fishing, family camping and games, sports, skating, etc. He is also a dedicated Christian on the Board of Deacons at the Westside Missionary Baptist Church, and the Council wishes him much joy in his retirement years.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 55, 2006. The proposal, sponsored by Councillor Pfisterer, recognizes Speedway Junior High School for its No Child Left Behind - National Blue Ribbon School nomination. Councillor Pfisterer read the proposal and presented representatives with copies of the document and Council pins. Principal Disney thanked the Council for the recognition and introduced representatives. Councillor Pfisterer moved, seconded by Councillor Salisbury, for adoption. Proposal No. 55, 2006 was adopted by a unanimous voice vote.

Proposal No. 55, 2006 was retitled SPECIAL RESOLUTION NO. 8, 2006, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 8, 2006

A SPECIAL RESOLUTION recognizing Speedway Junior High School for its No Child Left Behind—National Blue Ribbon School nomination.

WHEREAS, to reward successful schools, the United States Department of Education established this award to honor those schools that make significant progress in closing the achievement gap or whose students achieve at very high levels; and

WHEREAS, the National Blue Ribbon School program recognizes schools that have at least forty percent of their students from disadvantaged backgrounds and that have dramatically improved student performance to high levels in Language Arts and Mathematics on ISTEP+ tests; and

WHEREAS, it also recognizes schools, regardless of their demographics, that are in the top ten percent of schools as measured by ISTEP+ results in both Language Arts and Mathematics; and

WHEREAS, Speedway Junior High School is one of only eight schools in the state of Indiana to be nominated for this award; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Speedway Junior High School for its outstanding academic achievement.

SECTION 2. The Council heartily congratulates all of Speedway Junior High School's students for a job well done.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 573, 2005. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 573, 2005 on December 5, 2005 and January 4 and 18, 2006. The proposal, sponsored by Councillors Gray and Mahern, appoints David A. Shabazz to the Wellfield Education Corporation board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it be stricken. Councillor Mahern moved, seconded by Councillor Sanders, to strike. Proposal No. 573, 2005 was stricken by a unanimous voice vote.

PROPOSAL NO. 628, 2005. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 628, 2005 on January 18, 2006. The proposal, sponsored by Councillors Talley and Gray, approves the Mayor's appointment of Maury Plambeck as the Director of the Department of Metropolitan Development. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mahern moved, seconded by Councillor Sanders, for adoption. Proposal No. 628, 2005 was adopted by a unanimous voice vote.

Proposal No. 628, 2005 was retitled COUNCIL RESOLUTION NO. 8, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 8, 2006

A COUNCIL RESOLUTION approving the Mayor's appointment of Maury Plambeck as the Director of the Department of Metropolitan Development for a term ending December 31, 2006, and until a successor is appointed and confirmed.

WHEREAS, pursuant to IC 36-3-5-2 and Section 201-3 of the "Revised code of the Consolidated City and County," a mayoral appointment of the Director of the Department of Metropolitan Development is subject to the approval of the City-County Council; and

WHEREAS, the Mayor of the City of Indianapolis has submitted to this Council the name of Maury Plambeck to serve as Director of the Department of Metropolitan Development at his pleasure for a term ending December 31, 2006; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Maury Plambeck is approved and confirmed by the City-County Council to serve as the Director of the Department of Metropolitan Development for a term ending December 31, 2006, and until a successor is appointed and confirmed.

January 23, 2006

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 1, 2006. Councillor Moriarty Adams reported that the Law Enforcement Consolidation Committee heard Proposal No. 1, 2006 on January 17, 2006. The proposal, sponsored by Councillor Brown, appoints Robert Brown to the Metropolitan Law Enforcement Consolidation Transition Advisory Committee. By an 8-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Oliver, for adoption. Proposal No. 1, 2006 was adopted by a unanimous voice vote.

Proposal No. 1, 2006 was retitled COUNCIL RESOLUTION NO. 9, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 9, 2006

A COUNCIL RESOLUTION appointing Robert Brown to the Metropolitan Law Enforcement Consolidation Transition Advisory Committee.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Pursuant to Section 279-203 of the Revised Code of the Consolidated City and County, the Council hereby appoints the following person as a member of the Metropolitan Law Enforcement Consolidation Transition Advisory Committee having expertise in criminal justice matters:

Robert Brown

SECTION 2. The person appointed by this resolution shall serve at the pleasure of the Council for a term lasting until such Committee is dissolved pursuant to Section 279-206 of the Revised Code of the Consolidated City and County, or until his successor may be appointed, whichever first occurs.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 32, 2006. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints George Pillow to the Indianapolis Economic Development Commission"; and the President referred it to the Economic Development Committee.

PROPOSAL NO. 33, 2006. Introduced by Councillors Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Colette A. Johnson to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 34, 2006. Introduced by Councillors Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Kenneth Almon to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 35, 2006. Introduced by Councillors Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Linda Perdue to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 36, 2006. Introduced by Councillors Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Gary Gibson to the

Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 37, 2006. Introduced by Councillors Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Ernestine Nicholson to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 38, 2006. Introduced by Councillors Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Charlie Garrido to the Equal Opportunity Advisory Board"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 39, 2006. Introduced by Councillors Gray, Sanders, Conley and Brown. The Clerk read the proposal entitled: "A Proposal for a Special Resolution which approves the Installment Tax Payment Plan for certain real estate taxes"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 40, 2006. Introduced by Councillors Sanders and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$708,457 in the 2006 Budget of the Marion County Assessor, Center Township Assessor, Decatur Township Assessor, Franklin Township Assessor, Lawrence Township Assessor, Perry Township Assessor, Perry Township Assessor, Pike Township Assessor, Warren Township Assessor, Washington Township Assessor, and Wayne Township Assessor (Property Reassessment Fund) to pay for expenses that were not provided for in the original 2006 approved budget"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 41, 2006. Introduced by Councillor Bowes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$3,366,790 in the Budget of the Marion County Auditor (Children's Psychiatric Residential Treatment Services Fund) to pay the Indiana Department of Correction for expenses of incarcerating juveniles at the Plainfield and Indianapolis youth correctional facilities"; and the President referred it to the Community Affairs Committee.

PROPOSAL NO. 42, 2006. Introduced by Councillors Moriarty Adams and McWhirter. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$78,940 in the 2006 Budget of the Department of Public Safety, Police Division (Non-Lapsing Federal Grants Fund) to implement a Badges Without Borders program for public safety personnel in foreign language, cultural and diversity training, financed by a federal grant administered by the Indiana Criminal Justice Institute in conjunction with the U.S. Department of Justice"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 43, 2006. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Belle T. Choate to the Marion County Alcoholic Beverage Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 44, 2006. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Sheriff Frank Anderson to the Information Technology Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 45, 2006. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Dr. Thomas Inui to the Information Technology Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 46, 2006. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Marion County Clerk Doris A. Sadler to the Information Technology Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 47, 2006. Introduced by Councillor Gray. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which reappoints Marion County Treasurer Michael Rodman to the Information Technology Board"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 48, 2006. Introduced by Councillors Gray, Brown, Borst and Sanders. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which approves the Mayor's appointment of John J. Dillon as Chief Deputy Mayor"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 49, 2006. Introduced by Councillors Boyd, McWhirter and Speedy. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Code to clarify Sec. 996-43, deleting references to limos and increasing current taxicab inspection fees"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 50, 2006. Introduced by Councillors Bowes, Keller, Mahern and Moriarty Adams. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends the Noise Ordinance to bring it into compliance with federal constitutional law"; and the President referred it to the Rules and Public Policy Committee.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NOS. 56-64, 2006. Introduced by Councillor Mahern. Proposal Nos. 56-64, 2006 are proposals for Rezoning Ordinances certified by the Metropolitan Development Commission on January 12, 2006. The President called for any motions for public hearings on any of those zoning maps changes. There being no motions for public hearings, the proposed ordinances, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, were retitled for identification as REZONING ORDINANCE NOS. 23-31, 2006, the original copies of which ordinances are on file with the Metropolitan Development Commission, which were certified as follows:

REZONING ORDINANCE NO. 23, 2006.

2005-ZON-156

308 SOUTH COLLEGE AVENUE (Approximate Address), INDIANAPOLIS

CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19

CHANCE L. FELLING, requests a rezoning of 0.2 acre, being in the I-4-U District, to the D-8 classification.

REZONING ORDINANCE NO. 24, 2006.

2005-ZON-162

10200 EAST 38TH STREET (Approximate Address), INDIANAPOLIS

LAWRENCE TOWNSHIP, COUNCILMANIC DISTRICT # 18.

HUBBARD DEVELOPMENT COMPANY, LLC requests a rezoning of 31.149 acres, being in the D-5 (FF) District, to the D-6II (FF) classification to provide for the construction of multi-family dwellings.

REZONING ORDINANCE NO. 25, 2006.

2005-ZON-167

429 AND 501 SOUTH WEST STREET (Approximate Addresses), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 19.

MISSOURI HOTEL PROPERTIES, LLC, by Stephen D. Mears, requests a rezoning of 2.62 acres, being in the I-3-U (RC) District to the CBD-2 (RC) classification to provide for central business district uses.

REZONING ORDINANCE NO. 26, 2006.

2005-ZON-171

1721, 1725, AND 1733 EAST 46TH STREET (Approximate Addresses), INDIANAPOLIS
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 9.

DIVINE DIRECTION CHRISTIAN CHURCH, by Mitch Sever, requests a rezoning of 0.7 acre, being in the D-5 District, to the SU-1 classification to legally establish, and provide for the expansion of a religious use and related accessory uses, including a daycare.

REZONING ORDINANCE NO. 27, 2006.

2005-ZON-172

1818 YANDES STREET (Approximate Address), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 9.

MARTINDALE BRIGHTWOOD, LLC, requests a rezoning of 0.129 acre, being in the C-3 District, to the D-8 classification to provide for the construction of a single-family dwelling.

REZONING ORDINANCE NO. 28, 2006.

2005-ZON-179

7216 NORTH KEYSTONE AVENUE (Approximate Address), INDIANAPOLIS
WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3.

SASCO HILL PARTNERS, LLC, by Thomas Michael Quinn, requests a rezoning of 3.6 acres, being in the SU-34 (FW)(FF) and D-A (FW) Districts, to the C-4 (FW)(FF) classification to provide for community-regional commercial uses.

REZONING ORDINANCE NO. 29, 2006.

2005-ZON-180

1780 AND 1850 SLOAN AVENUE (Approximate Addresses), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 20.

STEVEN E. DAILEY EVANGELISTIC ASSOCIATION, INC., by William D. Hall, requests a rezoning of 5.17 acres, being in the D-5 and D-A Districts, to the SU-1 classification to provide for the expansion of religious uses.

REZONING ORDINANCE NO. 30, 2006.

2005-ZON-844

2104 AND 2124 NORTH PENNSYLVANIA STREET AND 2105 NORTH MERIDIAN STREET
(Approximate Addresses), INDIANAPOLIS
CENTER TOWNSHIP, COUNCILMANIC DISTRICT # 15.

21 MERIDIAN, LLC, by Ray Good, requests a rezoning of 1.521 acres, being in the C-4 (RC)(W-5) and D-8 (RC)(W-5) Districts, to the C-S (RC)(W-5) classification to provide for a mixed-use development consisting of multi-family dwellings, limited C-3 uses, and a parking lot.

REZONING ORDINANCE NO. 31, 2006.

2005-ZON-845

5107 FREYN DRIVE (Approximate Address), INDIANAPOLIS
PIKE TOWNSHIP, COUNCILMANIC DISTRICT # 7.

MICHAEL AND LESLIE WININGS, by John W. Van Buskirk, requests a rezoning of one acre, being in the D-4 District, to the C-ID classification to provide for a landscaping business.

Councillor Boyd made the following motion:

Mr. President:

I move that Proposal No. 65, 2006 (Rezoning Case 2005-ZON-034/2005-DP-012 located at 8603-8727 Haverstick Road and 2925 Sinclair Woods Drive) be scheduled for a hearing before this Council at its next regular meeting on February 13, 2006 at 7:00 p.m. and that the General Counsel read the announcement of such hearing and enter same in the minutes of this meeting.

Councillor Mansfield seconded the motion. The motion failed on the following roll call vote; viz:

13 YEAS: Abdullah, Bowes, Boyd, Brown, Franklin, Keller, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pfisterer, Sanders

14 NAYS: Borst, Bradford, Cain, Cockrum, Conley, Day, Gibson, Gray, McWhirter, Plowman, Randolph, Salisbury, Schneider, Talley

1 NOT VOTING: Speedy

1 ABSENT: Langsford

Councillors Mansfield, Boyd, Cockrum, Nytes and Abdullah asked for consent to explain their votes. Consent was given.

Councillor Mansfield said that constituents should have been afforded the opportunity to be heard as they requested. Councillor Boyd stated that many of the neighbors were not aware of the zoning hearing and were not able to present a case. This project seemed to be fast-tracked with a lot of questions unanswered. Councillor Cockrum said that he received calls with concerns about the Metropolitan Development Commission not following the master plans, but he supports the district Councillor who has a better feel for his community and knows what is best for his district. Councillor Nytes said that master plans do need to be updated for communities and the staff needs to work then to honor those plans. Councillor Abdullah stated that the comprehensive plans need to be adhered to, and it is a disservice to these citizens not to allow them an opportunity to speak.

There being no further motions for public hearings, the proposed ordinance, pursuant to IC 36-7-4-608, took effect as if adopted by the City-County Council, was retitled for identification as REZONING ORDINANCE NO. 32, 2006, the original copy of which ordinance is on file with the Metropolitan Development Commission, which was certified as follows:

REZONING ORDINANCE NO. 32, 2006.

2005-ZON-034 (2005-DP-012)

8603-8727 HAVERSTICK ROAD AND 2925 SINCLAIR WOODS DRIVE (Approximate Addresses), INDIANAPOLIS

WASHINGTON TOWNSHIP, COUNCILMANIC DISTRICT # 3.

PK CAPITAL, LLC, by Thomas Michael Quinn, requests a rezoning of 13.37 acres, being in the D-A, D-P, and SU-34 Districts, to the D-P classification to provide for a mixed-use residential and commercial development, consisting of 60,000 square feet of retail and 31 townhouses.

SPECIAL ORDERS - PUBLIC HEARING

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 2, 4, and 5, 2006 on January 17, 2006. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 2, 2006. The proposal, sponsored by Councillors Moriarty Adams, Borst and Brown, approves an increase of \$194,748 in the 2006 Budget of the Marion Superior Court (State and Federal Grants Fund) to provide funding that benefits the Community Work Service program

and the Indy Nite Lite program, both of which are provided to the juvenile court by the probation department. PROPOSAL NO. 4, 2006. The proposal, sponsored by Councillors Moriarty Adams and Brown, approves an appropriation totaling \$271,188 in the 2006 Budget of the Marion County Community Corrections (Conditional Release Fund) to pay personal services expenses and equipment lease costs associated with the pre-trial home detention program, financed by fund balance. PROPOSAL NO. 5, 2006. The proposal, sponsored by Councillors Moriarty Adams and Brown, approves an increase of \$14,000 in the 2006 Budget of the Department of Public Safety, Animal Care and Control Division (Consolidated County Fund), to install soundproofing banners in the animal shelter and to pay advertising costs associated with the Canine Crime Stoppers tip line program and other anti dog-fighting outreach initiatives, financed by private donations. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

President Gray called for public testimony at 8:05 p.m.

Robert Yahara, citizen, stated that he appreciates the work that public safety and criminal justice agencies do.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Nytes, for adoption. Proposal Nos. 2, 4 and 5, 2006 were adopted on the following roll call vote; viz:

26 YEAS: Abdullah, Borst, Bowes, Boyd, Bradford, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Randolph, Salisbury, Sanders, Schneider, Speedy, Talley

0 NAYS:

2 NOT VOTING: Brown, Mansfield

1 ABSENT: Langsford

Proposal No. 2, 2005 was retitled FISCAL ORDINANCE NO. 5, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 5, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating One Hundred Ninety Four Thousand Seven Hundred Forty Eight Dollars (\$194,748) in the State and Federal Grants Fund for purposes of the Marion Superior Court and reducing the unappropriated and unencumbered balance in the State and Federal Grants Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05 (f) of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion Superior Court to pay for programs at the juvenile court.

SECTION 2. The sum of One Hundred Ninety Four Thousand Seven Hundred Forty Eight Dollars (\$194,748) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the unappropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	70,178
2. Supplies	1,000
3. Other Services & Charges	123,570
TOTAL INCREASE	194,748

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SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>194,748</u>
TOTAL REDUCTION	194,748

SECTION 5. No Local Match.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 4, 2005 was retitled FISCAL ORDINANCE NO. 6, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 6, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating Two Hundred Seventy One Thousand One Hundred Eighty-eight Dollars (\$271,188) in the Conditional Release Fund for purposes of Marion County Community Corrections Agency and reducing the unappropriated and unencumbered balance in the Conditional Release Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.06 {c} of the City-County Annual Budget for 2006 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Community Corrections Agency to pay personal services expenses and equipment lease costs associated with the pre-trial home detention program, financed by fund balance.

SECTION 2. The sum of Two Hundred Seventy One Thousand One Hundred Eighty-eight Dollars (\$271,188) be, and the same is hereby transferred and appropriated for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>COMMUNITY CORRECTIONS</u>	<u>CONDITIONAL RELEASE FUND</u>
1. Personal Services	39,972
3. Other Services and Charges	<u>231,216</u>
TOTAL INCREASE	271,188

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CONDITIONAL RELEASE FUND</u>
Unappropriated and Unencumbered	
Conditional Release Fund	<u>271,188</u>
TOTAL REDUCTION	271,188

SECTION 5. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 5, 2005 was retitled FISCAL ORDINANCE NO. 7, 2005, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 7, 2006

A FISCAL ORDINANCE amending the City-County Annual Budget for 2006 (City-County Fiscal Ordinance No. 115, 2005) appropriating an additional Fourteen Thousand Dollars (\$14,000) in the

Consolidated County Fund for purposes of the Department of Public Safety, Animal Care and Control Division, and reducing the unappropriated and unencumbered balance in the Consolidated County Fund.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1(k) of the City-County Annual Budget for 2006 be, and is hereby amended by the increases and reductions hereinafter stated for purposes of the Department of Public Safety, Animal Care and Control Division, to install soundproofing banners in the animal shelter and to pay advertising costs associated with the Canine Crime Stoppers tip line program and other anti dog-fighting outreach initiatives, financed by private donations.

SECTION 2. The sum of Fourteen Thousand Dollars (\$14,000) be, and the same is hereby, appropriated for the purposes as shown in Section 3 by reducing the unappropriated balances as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>DEPARTMENT OF PUBLIC SAFETY</u> <u>ANIMAL CARE AND CONTROL DIVISION</u>	<u>CONSOLIDATED COUNTY FUND</u>
2. Supplies	8,000
3. Other Services and Charges	<u>6,000</u>
TOTAL INCREASE	14,000

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>14,000</u>
TOTAL REDUCTION	14,000

SECTION 5. The projected December 31, 2006, fund balance for the Consolidated County Fund, as approved in September 2005, is as follows:

Projected fund balance at the end of 2005	22,067,602
Estimated Revenues to be received in 2006	<u>55,793,239</u>
Total Funds Available	77,860,841
Approved 2006 appropriations	61,309,,263
Proposed additional appropriation (this proposal)	<u>14,000</u>
Total Requirements	61,325,,263
Estimated Fund Balance December 31, 2006	16,535,578

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

PROPOSAL NO. 629, 2005. Councilor Mahern reported that the Metropolitan Development Committee heard Proposal No. 629, 2005 on January 4 and 18, 2006. The proposal, sponsored by Councillors Sanders and Plowman, creates a county identification security protection fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councilor Mahern moved, seconded by Councilor Plowman, for adoption. Proposal No. 629, 2005 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy, Talley*

0 NAYS:

2 NOT VOTING: *Mansfield, Randolph*

1 ABSENT: *Langsford*

January 23, 2006

Proposal No. 629, 2005 was retitled GENERAL ORDINANCE NO. 28, 2006, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 28, 2006

A GENERAL ORDINANCE amending the Revised Code of the Consolidated City and County by adding a new Sec. 135-224 to create a county identification security protection fund to be administered by the county recorder with appropriations from the fund to be made by the City-County Council.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 135, Division 2, of the Revised Code of the Consolidated City and County, is hereby amended by adding a new Sec. 135-224 to read as follows:

Sec. 135-224. County identification security protection fund.

(a) There is hereby created a special fund to be designated as the "county identification security protection fund". This fund shall be a continuing, non-reverting fund, with all balances remaining therein at the end of each year, and no such balances shall lapse into the city or county general funds or ever be diverted, directly or indirectly, in any manner to any uses other than for the county recorder to purchase, upgrade, implement, or to maintain redacting technology used in the office of the county recorder pursuant to IC 36-2-7.5-11(d).

(b) The county recorder shall charge a fee for recording a document in accordance with IC 36-2-7-10 and shall deposit two dollars (\$2.00) of such fee into the county identification security protection fund pursuant to IC 36-2-7.5-6 and the county recorder shall administer the fund.

(c) The annual anticipated needs, uses and expenditures of the funds at any time in the fund shall be established by the county recorder and the office of finance and management.

(d) Amounts shall be paid from such fund only pursuant to appropriations authorized by the city-county council.

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 3, 2006. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 3, 2006 on January 17, 2006. The proposal, sponsored by Councillor Moriarty Adams, approves certain public purpose grants totaling \$500,000 from the Drug Free Community Fund. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Gibson, for adoption. Proposal No. 3, 2006 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Mahern, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy, Talley*

0 NAYS:

2 NOT VOTING: *Mansfield, Randolph*

1 ABSENT: *Langsford*

Proposal No. 3, 2006 was retitled GENERAL RESOLUTION NO. 2, 2006, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 2006

A GENERAL RESOLUTION approving certain public purpose grants totaling \$500,000 from the Drug Free Community Fund.

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WHEREAS, the City-County Council appropriated the sum of Five Hundred Thousand Dollars (\$500,000) in SECTION 1.06 of City-County Fiscal Ordinance No. 115, 2005 ("Estimates of Funds to be Raised and Proposed Tax Levies for the Consolidated City"), for funding grants to be made from the Drug Free Community Fund; and

WHEREAS, Indiana Code § 5-2-11-5 requires that sums appropriated from the Drug Free Community Fund shall not be spent until the City-County Council approves the amount of each grant recipient; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The following grants and administrative expenses in the total amount of Five Hundred Thousand Dollars (\$500,000) from the Drug Free Community Fund are hereby approved in the following amounts and projects, and for the following organizations:

Drug Free Community Fund
2006 Annual Grant Awards

I. PREVENTION

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Boys' & Girls' Clubs	SMART	\$30,000
Clarion	Facing Adolescent Challenges Together (FACT)	\$12,500
Fairbanks	Just Your Normal High School Boy	\$16,000
CAFÉ	Youth Development Program	\$27,000
Perry Twp. School Dist.	Brightwood/Forest Manor summer collaborative Day Camp	\$30,000
Fairbanks	Prevention Training of School and Community Leadership	\$15,000
John Boner	Senior Knowledge in Life and Learning Seminar (SKILLS)	<u>\$10,450</u>
	Subtotal	\$140,950

II. TREATMENT

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Salvation Army	Salvation Army Harbor Light Detoxification Program	\$35,000
Public Defender	Marion County Sentencing Project	\$20,485
Mental Health Association	Our Town Substance Abuse Specialist	\$28,323
CONS	New Life Behavior Prevention Program	\$15,000
Bethlehem House	Bethlehem House	\$25,000
Family Service Association	Intensive Outpatient Program	<u>\$ 9,851</u>
	Subtotal	\$133,659

III. CRIMINAL JUSTICE

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Marion Superior Court	Marion County Drug Treatment Court	\$42,500
Marion Superior Court	Community Court Resource Coordinator	\$40,000
Marion County Prosecutor	MCPO Narcotics Eviction Program	<u>\$47,500</u>
	Subtotal	\$130,000

IV. MISCELLANEOUS/ADMINISTRATIVE

<u>Organization</u>	<u>Project</u>	<u>Amount</u>
Drug-Free Marion County	Administrative Expenses	<u>\$95,391</u>
	Total	\$500,000

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

PROPOSAL NO. 6, 2006. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 6, 2006 on January 10, 2006. The proposal, sponsored by Councillors Sanders, Cockrum, Nytes, Talley and Moriarty Adams, expresses support for the Consolidated City of Indianapolis and Marion County's authority to enter into franchise agreements with cable operators while acknowledging its enthusiastic support of competition by any means that benefits the cable operators, the Consolidated City and County, and its citizens. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Bradford said if this was amended so that there were no longer local franchise rights. Councillor Sanders said that the amendment was simply amended from a Special Resolution to a Council Resolution, so as to only require Council and not mayoral approval. She added that this proposal simply asks the state to uphold local franchising and maintain such at the local level. Councillor Bradford asked if it was changed to a Council Resolution because the administration is not supportive of it. Councillor Sanders said that the Cable Communications Agency falls under the Council's authority and the Mayor has no authority over this agency. It should have been a Council Resolution to begin with.

Rick Maultra, director of the Cable Communications Agency, stated that there is pending legislature trying to take away local control of cable franchising, which would hinder the City's ability to expediate cable company complaints and enforce customer service standards.

Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 6, 2006 was adopted on the following roll call vote; viz:

26 YEAS: Abdullallah, Borst, Bowes, Boyd, Bradford, Brown, Cain, Cockrum, Conley, Day, Franklin, Gray, Keller, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Salisbury, Sanders, Schneider, Speedy, Talley
1 NAY: Gibson
1 NOT VOTING: Randolph
1 ABSENT: Langsford

Proposal No. 6, 2006 was retitled COUNCIL RESOLUTION NO. 10, 2006, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 10, 2006

PROPOSAL FOR A COUNCIL RESOLUTION to express support for the Consolidated City of Indianapolis and Marion County's authority to enter into franchise agreements with multi-channel video operators while acknowledging its enthusiastic support of competition by any means that benefit the multi-channel video operators, the Consolidated City and County, and its citizens.

WHEREAS, the cable franchise board for the Consolidated City of Indianapolis and Marion County heard and considered the resolution in support of franchising, attached hereto as "Exhibit A" (hereinafter, the "Franchising Resolution"), during its December 19, 2005, meeting; and

WHEREAS, during its December 19, 2005, meeting, the cable franchise board adopted the Franchising Resolution; and

WHEREAS, the cable franchise board has presented the Franchising Resolution to this Council for its consideration and adoption; and

WHEREAS, this Council has been duly advised of the matters addressed in the Franchising Resolution; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. This Council hereby affirms and adopts the Franchising Resolution, and expresses support for the Consolidated City of Indianapolis and Marion County's authority to enter into franchise agreements with multi-channel video operators while acknowledging its enthusiastic support of competition by any means that benefit the multi-channel video operators, the Consolidated City and County, and its citizens.

SECTION 2. This resolution shall be in effect from and after its passage by the Council and compliance with Indiana Code § 36-3-4-14.

NEW BUSINESS

Councillor Conley stated that the Operation My Town program through Keep Indianapolis Beautiful and the Adopt-A-Block program won first place in a national award program for litter prevention. He said that Councillors have a copy of a news article outlining this accomplishment on their desks.

Councillor Cockrum stated that appointments and reappointments of board members will be presented in the next few months, and while attendance records are not yet available, he will be asking about participation and would recommend that those not attending at least 70% of the meetings be replaced.

Councillor McWhirter said that it looks as if Proposal No. 41, 2006 being introduced this evening is the same as Proposal No. 174, 2005, still in pending. She asked why a new one is being introduced. Mr. Haith stated that there are slight differences, and the intent is to strike Proposal No. 174, 2005 in favor of the new Proposal No. 41, 2006 being introduced this evening.

Councillor Borst congratulated Councillors Bradford and McWhirter on their precinct slating as candidates for township trustee.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Borst stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Cain in memory of Martha Stalnaker Alig and Elmer Kurbursky; and
- (2) All Councillors in memory of Jettie Mae Canady; and
- (3) Councillor Cockrum in memory of Richard "Dick" Eugene Collins; and
- (4) Councillor Oliver in memory of Marion Isaac Rice; and
- (5) Councillors Pfisterer, McWhirter, Salisbury and Cockrum in memory of Bill Eubanks; and
- (6) Councillor Randolph in memory of Cora Lee Brown-Hayden.

Councillor Borst moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Martha Stalnaker Alig, Elmer Kurbursky, Jettie Mae Canady, Richard "Dick" Eugene Collins, Marion Isaac Rice, Bill Eubanks, and Cora Lee Brown-Hayden. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 8:25 p.m.

January 23, 2006

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 23rd day of January, 2006.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)

